

Subject: Fwd: ada access

From: Kurt Knecht

Date: 04/05/2017 10:49 AM

To: Rena Leddy <rena@fashiondistrict.org>, Estela Lopez <elopez@centralcityeast.org>, miguel nelson <miguel@marvimon.com>, KEITH BERTONNEAU <27664@lapd.lacity.org>, Aloaf Walker <26777@lapd.online>

Hi Everyone,

Below is an email from Geoffrey Straniere from the Department of Disability (DOD) recommending a 48 inch sidewalk clearance for enforcement purposes. This is beyond the ADA required 36 inches. My informal survey of the sidewalk conditions through the downtown area shows that businesses routinely crowd the sidewalks leaving 48 inches or less of space for passage. Differential enforcement with regards LAMC 42.00(a) (blocking the sidewalk) against homeless and businesses may present constitutional issues. To the extent there is more uniformity with 36 inches, there is stronger legal footing for using 36 inches as a standard at least with respect LAMC 42.00(a) enforcement.

----- Forwarded message -----

From: Geoffrey Straniere <geoffrey.straniere@lacity.org>
<<mailto:geoffrey.straniere@lacity.org>> >

Date: Thu, Mar 30, 2017 at 2:24 PM

Subject: Re: ada access

To: Kurt Knecht <kurt.knecht@lacity.org> <<mailto:kurt.knecht@lacity.org>>

Cc: miguel nelson <miguel@marvimon.com> <<mailto:miguel@marvimon.com>> >, KEITH BERTONNEAU <27664@lapd.lacity.org> <<mailto:27664@lapd.lacity.org>> >

Gentlemen - Thank you for your efforts and patience while we collectively work out the sidewalk concerns for Both Mr Nelson's environs and for the broader Skid Row neighborhood.

We at the DOD have been working with various City agencies to develop a clear and concise solution for circumstances where sidewalks are being constrained and effectively being made inaccessible by the presence of encampment or other transient, temporary barriers to public rights of way.

There are a number of conflicting guidelines to work through when determining the applicable standards and codes to issues of accessibility. Often, the Federal standards conflict with those of the States, and often further conflict with local ordinance or community standards that themselves may be in opposition to various public policies.

Here, we are evaluating the least restrictive, most accessible thoroughfare possible for existing sidewalks of various widths and dimensions, and the accessible routes that tie curb ramps, curb cuts, crosswalks, traffic signals and other traffic control devices to the in-place concrete flatwork, while trying to secure passable and accessible routes absent barriers human or otherwise.

There are three (3) applicable guidelines and ratified codes in play for the subject concern. the specified dimensions for each are as follows:

The American with Disabilities Act (The ADA) specifies a clear minimum width of 36" to establish an accessible sidewalk width.

The California Building Code (The CBC) specifies a clear minimum width of 48" to establish an accessible sidewalk width.

The Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) specifies a clear minimum width of 60" to establish an accessible sidewalk width.

We are sensitive to creation and preservation of a barrier-free public passage route. We are sensitive to the current sidewalk field conditions, the use of which are being constrained and made impassible by the presence of tents, temporary shelters, or accumulating debris

between sanitation control efforts.

In response to these concerns, the Department on Disability recommends that sidewalks remain accessible and barrier-free, without exception, in concurrence with California Building Code requirements that include definitions of accessibility for sidewalk surfaces widths as free and clear of obstruction, and of a sturdy, non-slip texture, with dimensions not less than 48" wide from street-side curb to opposing curb or structure, as is congruent with the LADBS adherence to the CBC to establish code compliance.

Unless otherwise stipulated by Los Angeles Department of Building and Safety officials or agency representatives, the DOD recommends that all associated stakeholders enforce current policy and procedure to assure that sidewalks remain open to the use and enjoyment of all, and work closely with neighbors and residents to accommodate those who rely on the sidewalks to maintain an accessible route to goods, services, or place of residency.

I am committed to assisting you with any issue identified herein, or for any other for which I might be a resource.

Thank you, -Geoffrey

Geoffrey L. Straniere

Senior Project Coordinator

Access Compliance

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On Wed, Mar 29, 2017 at 10:50 AM, Kurt Knecht <kurt.knecht@lacity.org>
<<mailto:kurt.knecht@lacity.org>> > wrote:

Miguel,

I viewed the various neighborhoods in and around the North Sea District this morning including the Fashion District, Toy District, and Flower District.

There is nothing close to 60 inch sidewalk clearance throughout these areas. Some sidewalks don't expand that length. My concern is that enforcement of 60 inches against the tents in the North Sea District would lead to complaints of uneven enforcement against homeless. In addition as mentioned before, the ADA website cites cases with 36 inches as the standard.

Kurt

On Wed, Mar 29, 2017 at 5:57 AM, miguel nelson
<miguel@marvimon.com> <<mailto:miguel@marvimon.com>> > wrote:

geoffrey, have you and kurt knecht talked yet? i'm increasingly concerned about our blocked sidewalks. i made my request for clearance on feb 24. since then, i've asked another 4 or 5 times to no avail. these sidewalks are 100% blocked. we need at least 64" clearance in order to have ample ADA access and pedestrian and delivery access.

Miguel Nelson
Marvimon Productions
310 922 6609 <tel:(310)%20922-6609>

Flora Chang <<http://www.florachang.com>> · Millwick
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Kurt Knecht

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